

## Questions & Answers from 10/06/10 Navigating the Green Communities Program Webinar

### General Green Communities Questions

Are there any communities that have Municipal Light Departments that are Green Communities?

Yes, the City of Holyoke has been designated a Green Community and is serviced by a Municipal Light Plant. Per the Green Communities Act, in order for municipalities served by MLPs to be eligible to become a Green Community, they must adopt the Renewable Energy Charge. More information on adopting this charge can be found at <http://www.masscec.com/index.cfm?cdid=11387&pid=11163>

What are the requirements for MLP communities to join Green Communities?

Please see the response to the questions above. Per the Green Communities Act, in order for municipalities served by MLPs to be eligible to become a Green Community, they must adopt the Renewable Energy Charge. More information on adopting this charge can be found at <http://www.masscec.com/index.cfm?cdid=11387&pid=11163>

Are there benefits offered by the state for going above and beyond the minimum requirements?

There are no additional benefits for going above and beyond the minimum requirements. In the first set of Green Communities designees, those who met the as-of-right requirement through renewable energy *generation* rather than R&D or Manufacturing facilities received an additional \$10,000. However, the opportunity to do this with future grantees will depend on the amount of funds available.

Can a community that is already a Green Community submit a grant application in the next round? Or will it be limited to a new Green Community?

Existing Green Communities are currently in the contract execution stage for their grant awards. Before existing Green Communities can receive further funding, they will first have to have expended their existing grant. Receiving additional funds in future grant cycles will depend on the amount of funds available and the number of new communities designated. Those communities who have not received previous awards will receive first priority.

Would DOER be averse to eliminating the REC requirement for communities with Municipal Light Departments if the department has an energy efficiency program that equals or exceeds the REC program?

The requirement to adopt the Renewable Energy Charge (which is not the same as a REC, which is a Renewable Energy Certificate) is a statutory requirement of the Green Communities Act, which established the Green Communities designation and grant program.

### Criteria 1: As-of-Right Questions

What do you mean by non- discretionary for wording of by-law for as-of-right siting?

If a project is proposed to a town and it meets all of the basic health and safety standards that can be included in an as-of-right bylaw or ordinance, then that project must be allowed to proceed. The Site Plan Review process for the project can only require that the basic standards of the as-of-right bylaw be met. For example, the site plan review process cannot deny a project because the site plan review authority does not like the way the project looks, that would be a discretionary decision.

Where are the sample bylaws located on the website?

The sample bylaws are on the toolkit page of our website <http://tiny.cc/GreenCToolkit>.

Would adding energy storage to a wind turbine project qualify as an R & D project? This would help the utilities with the interconnection studies.

The requirement for meeting Criterion 1 is to provide as-of-right siting for renewable or alternative energy R&D facilities. If a company is doing R&D related to energy storage for renewable energy projects, then it could be sited by-right in an area zoned for as-of-right siting for renewable energy R&D facilities.

We got a question about how storm water is handled from large scale solar fields. The concern was there will be a lot of runoff. Any ideas?

The storm water that is shed from the modules falls in the rows between the modules. There are usually crushed stones in the rows, so it shouldn't turn into a mud pit. If the site has drainage issues the designers of the array make sure that the water flows into a detention pond or swale. If installing a large array on a landfill then DEP will be looking for the storm water management plan as part of the post closure permit.

What's a yield calculation?

Yield Calculation: The determination of the amount of development – usually expressed in square feet for non-residential structures or housing units for residential - that could occur in a particular area based on applicable land use regulations and site characteristics. Land use regulations that must be accounted for would include zoning, subdivision, environmental (wetlands, rare/endangered species, etc.) and public health (wellhead protection, wastewater disposal, etc.). The nature of the site must also be considered. For example, land use regulations often do not prohibit construction on a steeply sloping site. However, as a practical matter development may be precluded or significantly limited on a site with significant slope. In the context of Green Communities a yield calculation would determine whether at least 50,000 square feet of research and development or manufacturing space could be built to satisfy the as-of-right siting criterion. Please refer to our guidance on as-of-right siting for R&D and manufacturing on our website at <http://tiny.cc/GreenCToolkit>. The Planner in your community should be familiar with this term.

### Criteria 3: Energy Reduction Plan Questions

Is gas consumption entered in MassEnergyInsight?

Gas and electric energy consumption and cost data are automatically uploaded into MassEnergyInsight if your provider is an investor-owned utility. If you use a third-party provider, you may need to enter the cost data manually.

Can a reduction in street light use (reduce the # of lights used) be applied to energy plan if those lights are owned by utility. If not, why?

Streetlights are not included in the Energy Reduction Plan if they are not owned by the municipality because the municipality cannot control any energy efficiency improvements (i.e. LED lamps) to the lights. Reducing the number of streetlights is not a measure that we would consider for the Energy Reduction Plan due to the issues it raises regarding public safety.

Would installing a Municipal Solid Waste (MSW) biomass facility for the community's disposal qualify as an energy efficient measure?

Installing a renewable energy facility is not considered an energy efficiency measure. It is important to note that any facility using MSW would require permitting and close coordination with Massachusetts Department of Environmental Protection. Also, MSW is not an eligible biomass fuel for the purpose of the Class I Renewable Energy Portfolio Standard.

What is the best way about for a community to go about creating an energy reduction plan?

Creating an Energy Reduction Plan takes time and planning, and requires involvement of all affected parties, including schools. The first step involves establishing a baseline of energy use for all of your municipal facilities, streetlights, and vehicles. If you are not already using an existing tool to track your energy usage, we encourage you to use DOER's MassEnergyInsight, [www.massenergyinsight.net](http://www.massenergyinsight.net). After knowing what your usage is, review the data for the largest consumers of energy and look at ways to reduce their consumption. Energy audits provide a means of identifying specific energy conservation measures for facilities with projected savings and costs. Please see our guidance on the Criteria 3 and the Energy Reduction Plan on our toolkit page of our website at <http://tiny.cc/GreenCToolkit>

Can adding a photovoltaic system on a school roof help us achieve Criteria 3?

Criteria 3 requires the reduction of energy consumption by 20%, so the energy produced from renewable energy

systems are not included as part of the Energy Reduction Plan. If at the end of the 5 year period a municipality has done everything conceivable to meet its 20% reduction target and has not been able to achieve that target, then at that time we will consider the municipality's use of renewable energy. But these systems cannot be used as part of an Energy Reduction Plan to reduce energy consumption by 20% and meet Criteria 3.

If we would like to do an energy audit what is the cost and next steps and do we have to be a Green Community?

You do not have to be a Green Community in order to have an energy assessment (audit); in fact it is advisable to have an energy assessment before applying to become a Green Community. The first resource for having an energy assessment is your utility. If your provider is an investor-owned utility (NStar, National Grid, Unitil, Cape Light Compact, WMECO for electric, NStar, National Grid, Berkshire Gas, Columbia Gas for gas), go to [www.MassSave.com](http://www.MassSave.com) to contact them and to find information about potential incentives. If your provider is a Municipal Light Plant, contact them directly.

We are currently building a new fire station; this will obviously add to our energy consumption levels. Is there a system in place to accommodate that building?

Please refer to our Energy Reduction Plan guidance found at <http://tiny.cc/GreenCToolkit>. We address in the guidance the specific issue of increased energy consumption due to new buildings or additional square footage being added to a municipality's building stock after its baseline year.

#### Criteria 4: Fuel Efficient Vehicles Questions

Are heavy-duty vehicles included in the 20 % energy reduction for Criterion 3 or are they exempt?

Heavy-duty vehicles are not exempt from Criterion 3 and their fuel consumption must be included. Heavy-duty vehicles are only exempt from Criteria 4.

Our Police Dept uses the chief's and deputy's cars for patrol work as well as for their use - can these be included as patrol cars?

Police cruisers are exempt from Criterion 4. If the Police Chief and the Deputy's cars are also used as cruisers, then they are exempt from Criterion 4.

Are the detailed fuel efficiency standards for the vehicles on the website?

Yes, these are included in our guidance for Criterion 4 located on our website at <http://tiny.cc/GreenCToolkit>.

Can biodiesel be used as part of the vehicle Criteria plan?

To meet Criteria 4, a municipality must have in place a policy to purchase fuel efficient vehicles that meet the mpg ratings contained in our guidance at <http://tiny.cc/GreenCToolkit>. Using biodiesel will potentially reduce fuel consumption and therefore potentially help in meeting reductions in energy consumption for Criteria 3, but cannot be used for meeting Criteria 4.

I am in a community that has our own elementary school for k-8 and grades 9-12 go to a regional high school. Do both school boards need to adopt the fuel efficient vehicle policy?

The Committee for the elementary school must adopt the fuel efficiency vehicle policy and the Energy Reduction Plan. The Regional School District only adopts each IF it is participating as part of the municipality's Green Communities designation.

Our town does all the purchasing of vehicles for both the municipal side and the school side. Does the school committee still need to vote on the fuel efficient vehicle policy?

If the municipality has control over purchasing of vehicles for both the municipality and the schools, then only the municipality has to approve the fuel efficient vehicle policy. However, in their green communities designation application they would need to provide documentation that shows the municipality has this authority. (PLEASE NOTE: this response is different than what was provided in the webinar)

## Stretch Code Questions

The summary of the Stretch Code on the DOER website indicates that for towns the Board of Selectmen can adopt the code. Your presentation indicates that Town Meeting action is required. Which is correct?

The materials regarding the Stretch Code on our website were revised in the last month. Town Meeting is required for adoption of the Stretch Code.

When are you going to post the updated stretch code online?

Some time ago the BBRS posted the updated stretch code under the appendices for the 8<sup>th</sup> edition of the code here: [http://www.mass.gov/Eeops/docs/dps/8th\\_edition/115\\_appendices.pdf](http://www.mass.gov/Eeops/docs/dps/8th_edition/115_appendices.pdf). The stretch code appendix 115.AA starts on page 5. Last week the BBRS updated their weblinks so that the 7<sup>th</sup> edition now point to this page also, although technically in the 7<sup>th</sup> edition the stretch code is appendix 120.aa. MA DOER hopes to have a new stretch code webpage up soon with the stand-alone updated stretch code on it, for folks who are not interested in the other MA amendments

Are you going to continue free stretch code trainings for code officials in 2011?

Stretch Code training will continue to be provided at no cost to code officials in 2011 as part of the overall energy code training being provided.

On the stretch code, who is authorized to do the duct testing on additions and renovations?

There are no specific requirements for who conducts the duct testing on additions and renovations, it is essentially a self-certification approach for the prescriptive path for both additions and renovations, in contrast to the HERS rater requirement under the performance approach. However, as with the Thermal checklist, the builder or contractor would be potentially liable if the reported results are subsequently found to be inaccurate.

Stretch code - in an addition where the ducts are tied into existing ducts, does the whole duct system need to meet the duct leakage requirement?

The stretch code language in the updated version clarifies this: Essential ducts for New HVAC systems need to meet the 4% leakage requirement. This would likely lead to the use of new ducts in projects with new systems, unless the existing ducts are found to be in good condition or can be well sealed. Where there are new ducts tied into existing ducts and an existing system, the ducts would not need to be tested.

If the stretch code is amended, as it was in June, will the town be required to adopt the newer version or will it be enforcing the version in effect on the date it becomes a Green Community?

The stretch code operates in the same way as any other portion of the building code. As it is modified by the BBRS the most current version takes effect.

For major code changes, such as the major energy code update cycle (every 3 years when the IECC changes) the BBRS intends to withdraw the current stretch code version and provide a new version. Future Green Communities will be required to adopt the stretch code that is available at the time that they are applying for designation. Existing Green Communities will also be required to adopt the most recent version of the stretch code in order to receive any future funding.